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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,904	01/24/2001	Lap-Wai Chow	B-3964 618029-8	4228

7590

04/21/2003

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EXAMINER

NGUYEN, JOSEPH H

ART UNIT

PAPER NUMBER

2815

DATE MAILED: 04/21/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/768,904

Applicant(s)

CHOW ET AL.

Examiner

Joseph Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20,23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 April 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

It is acknowledged that the interview on January 28, 2003 was held with Examiner Joseph Nguyen and Michael Rasmussen.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-8, 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Deboer et al.

Regarding claim 1, Deboer et al discloses on figure 5 a semiconductor device adapted to prevent and/or thwart reverse engineering comprising a field oxide layer 16 disposed on a semiconductor substrate 12; a metal plug contact 39 disposed within a

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contact region and above said field oxide layer wherein said metal plug contact contacts said field oxide layer; and a metal 60 connected to said metal plug contact.

Regarding claims 2-4, 17, Deboer et al discloses on figure 5 all the structure set forth in the claimed invention.

Regarding claim 5, Deboer et al discloses on figure 5 a method for preventing and/or thwarting reverse engineering comprising steps of providing a field oxide layer 16 disposed on a semiconductor substrate 12; providing a metal plug contact 39 disposed within a contact region and above said field oxide layer wherein said metal plug contact 39 contacts said field oxide layer; and connecting metal 60 to said plug contact.

Regarding claims 6-8, 18, Deboer et al discloses on figure 5 all steps of the method set forth in the claimed invention.

Claims 9-16, 19-20, 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Chuang.

Regarding claim 9, Chuang discloses on figure 1C a semiconductor device adapted to prevent and/ or thwart reverse engineering comprising field oxide layer 104 disposed on a semiconductor substrate 100; a metal plug contact 124a disposed outside a contact region 116b and above said field oxide layer, wherein said metal plug contact 124a is isolated from said contact region; and a metal 126 connected to said metal plug contact.

Regarding claims 10-12, 19, 23, Chuang discloses on figure 1C all the structures set forth in the claimed invention.

Regarding claim 13, Chuang discloses on figure 1C a method for preventing and/or thwarting reverse engineering comprising steps of providing a field oxide layer 104 disposed on a semiconductor substrate 100; providing a metal plug contact 124a disposed outside a contact region and above said field oxide layer wherein said metal plug is isolated from said contact region; and connecting a metal 126 to said metal plug contact.

Regarding claims 14-16, 20, 24, Chuang discloses on figure 1C all steps of a method set forth in the claimed invention.

Response to Arguments

Applicant's arguments with respect to claims 1, 5, 9 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (703) 308-1269. The examiner can normally be reached on Monday-Friday, 7:30 am- 4:30 pm

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on (703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 308-7382 for regular communications.

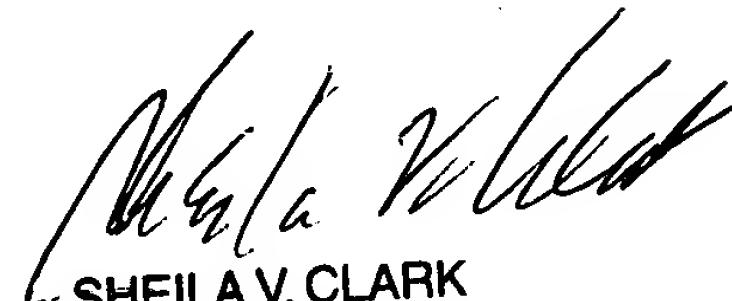
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JN
April 17, 2003



SHEILA V. CLARK
PRIMARY EXAMINER